

From the INTERNATIONAL BUREAU

PCT**NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)**

(PCT Rule 44bis.1(c))

To:

FLIGHT, James, A.
Hanley, Flight & Zimmerman, LLC.
20 N. Wacker Drive
Suite 4220
Chicago, IL 60606
ETATS-UNIS D'AMERIQUE**RECEIVED**

MAR 13 2007

HANLEY, FLIGHT & ZIMMERMAN, LLC

Date of mailing (day/month/year)

22 February 2007 (22.02.2007)

Applicant's or agent's file reference

20004-277WO

IMPORTANT NOTICE

International application No.

PCT/US2005/013765

International filing date (day/month/year)

22 April 2005 (22.04.2005)

Priority date (day/month/year)

23 April 2004 (23.04.2004)

Applicant

NIELSEN MEDIA RESEARCH, INC. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Dorothee Mülhausen

Facsimile No. +41 22 338 82 70

e-mail: pt01.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 20004-277WO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2005/013765	International filing date (<i>day/month/year</i>) 22 April 2005 (22.04.2005)	Priority date (<i>day/month/year</i>) 23 April 2004 (23.04.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant NIELSEN MEDIA RESEARCH, INC.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 13 February 2007 (13.02.2007)
	Authorized officer Dorothee Mülhausen e-mail: pt01.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
JAMES A. FLIGHT
HANLEY, FLIGHT & ZIMMERMAN, LLC.
20 N. WACKER DRIVE
SUITE 4220
CHICAGO, IL 60606

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **26 JAN 2007**

Applicant's or agent's file reference

20004-277WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US05/13765

International filing date (day/month/year)

22 April 2005 (22.04.2005)

Priority date (day/month/year)

23 April 2004 (23.04.2004)

International Patent Classification (IPC) or both national classification and IPC

IPC: H04N 7/16(2007.01)

USPC: 725/2,4,9,10,14,23

Applicant

NIELSEN MEDIA RESEARCH, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (571) 273-3201

Date of completion of this
opinion

06 December 2006 (06.12.2006)

Authorized officer

KIEU-OANH BUI

Telephone No. 571-272-2600

Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/13765

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/13765

Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-59</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>1-59</u>	YES
	Claims <u>NONE</u>	NO
Industrial applicability (IA)	Claims <u>1-59</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-59 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest an apparatus and its corresponding method for monitoring a displayed VOD program comprising the steps of determining a first set of metering information based on a first set of data collected at a subscriber site, determining a second set of metering information based on a second set of data reported by at least one of a VOD server and a headend, and determining a third set of data based on the second set of data, then combining the first and third sets of metering information to credit the displayed VOD program as cited in claims 1 and 49, and similarly in claims 33 and 46 with further encrypted identifier feature, with further personal data keys as in claim 41, and further including a metering record having unit and a hashed metering database processor as in claim 55.